

**AGENDA ITEM 2
ATTACHMENT 4**

**Recording Requested By And To Be
Returned To:**

**Clerk of the Board of Supervisors
105 East Anapamu Street
Santa Barbara, California 93101**

**Presented for recording pursuant to
California Government Code
Section 6103**

No Tax Due

Title (s)

Grant of Easement For Riding and Hiking Trail

Assessor's Parcel No. _____

**Grant of Easement for
Riding and Hiking Trail Purposes**

_____, "Grantor",
does hereby grant to the COUNTY OF SANTA BARBARA, a political subdivision of
the State of California, "Grantee", a permanent non-exclusive easement and right-of-way
for public riding and hiking trail purposes, described in the attached exhibit "A",
incorporated herein by reference, as required to connect to such public trails or roads as
may exist on the adjacent parcel (s);

UPON THE CONDITION AND RESERVATION that neither Grantor, or its
successors or assigns shall have or assume liability for injury to persons or damage to
property arising out of or connected in any way with this easement and any use made
thereof or of the Easement Property by Grantee, any agent of licensee of Grantee, or by
any member of the public, except for any injury to persons or damage to property
resulting from Grantor's willful misconduct or from the Grantor's negligence, whether in
whole or in part. In the case of shared negligence, Grantor and Grantee shall have
liability, if any, in portion to their respective fault; and

UPON THE FURTHER CONDITION AND RESERVATION that motorized
access to, along and across said easement and right-of-way shall be limited to County
Law enforcement, emergency and trail maintenance vehicles only; and

UPON THE FURTHER CONDITION AND RESERVATION that no
encroachments or obstructions shall be placed or constructed by Grantor, his heirs,
successors or assigns, within this Easement without prior written permission from the
Director of County Parks, as provided for in Chapter 26 of the Santa Barbara County
Code.

Dated: _____ By: _____

Grantor

LEGAL DESCRIPTION OF TRAIL EASEMENT

Must be prepared and stamped by a licensed surveyor (required by law), and should include specific width of trail and centerline or meets and bounds description of easement area.

Applicant must also provide map identifying survey points corresponding to legal description. At least one permanent control monument should be set on site by the applicant's surveyor.

Should also include language re: beginning and ending points being "shortened or lengthened" as necessary to meet adjacent boundaries.

Must be reviewed and approved by Park Department and Real Property.

Miscellaneous Provisions (not standard):

UPON THE FURTHER CONDITION AND RESERVATION that Grantors shall have no responsibility for construction or maintenance of any portion of such trail, with trail construction and maintenance to be the responsibility of Grantee; and

UPON THE FURTHER CONDITION AND RESERVATION that Grantor reserves for himself, his heirs, successors or assigns, the right to place, maintain or remove fences outside the boundaries of this Easement, provide such fences shall not be locked, constructed or maintained in such a manner as to prevent the use of the Easement for riding and hiking purposes; and

UPON THE FURTHER CONDITION AND RESERVATION that Grantee shall install such adequate fencing or screening of the trail easement as shall be agreed upon by both Grantor and Grantee at the time said trail is constructed and opened for public use, which approval shall not be unreasonably withheld; and

UPON THE FURTHER CONDITION AND RESERVATION that said riding and hiking trail shall not be opened for public use until such time as adjoining public trail easements to connect to the existing public trail system are obtained; and

CERTIFICATE OF ACCEPTANCE

STATE OF CALIFORNIA, COUNTY OF SANTA BARBARA: SS.

This is to certify that the interest in real property conveyed by the
dated _____,
from _____ to the COUNTY OF SANTA
BARBARA, a political subdivision of the State of California is accepted by the Board of
Supervisors of the County of Santa Barbara, on _____, as grantee consents to
the recordation of said deed by its duly authorized officer.

WITNESS my hand and official seal

this _____ day of _____, 2007.

MICHAEL F. BROWN
CLERK OF THE BOARD

By: _____
Deputy